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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/695,447

10/29/2003

Roger Ledru

14498

4560

293

7590

12/16/2004

Ralph A. Dowell of DOWELL & DOWELL P.C.

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Alexandria, VA 22314

EXAMINER

SCOTT, JAMES R

ART UNIT

PAPER NUMBER

2832

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

A7

Office Action Summary	Application No. 10/695,447	Applicant(s) LEDRU ET AL.	
	Examiner James R. Scott	Art Unit 2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003 and 25 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5, 10 and 15-17 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 6-9 and 11-14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10292003</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Abstract

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Title

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Circuit Breaker Comprising A Control Assembly And Interrupting Chamber And Method Of Assembly.

Specification

The disclosure is objected to because of the following informalities: On page 3 lines 25, 32,28 and 36; page 4, lines 1,3,6,9,25; page 5, lines

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10,14,17,29,a 31 include dashes at the beginning of the lines that should be cancelled. Any other errors applicant may become aware of should be corrected.

Appropriate correction is required.

Claim Objections

Claim 6, 8 11,13 and 14 are objected to because of the following informalities: The phraseology and/or is objected to. For example in claim 6 it appears that the markers appear to project radially at an angle with respect to other given markers. Appropriate correction is required.

Otherwise claims 1-9, 10 and 15-17 appear allowable.

Claims 11,13 and 14 are further objected to because it is not clear if the underlined phraseology in claim 11; namely, "wherein..indentification marker of the ..is situated radially in register with another marker provided on the splined ring and/or on the control shaft ..and", is intended to be cancelled or retained in the claim. The underlined phraseology appears to be darkened (e.g. phraseology cancelled or phraseology adversely amplified).

Clarification and amendment of the objected to claims is required.

Claims 1,2,3,4,5,10,15,16 and 17 at present are allowed. All other claims are objected to but would appear to be allowable if properly amended to overcome the above-mentioned objections in the objected to claims 6,8,11,13 and 14.

Any other errors applicant may become aware of should be corrected 04\

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Cited References

The two French patents and the sole European patent document constitute prior art by the applicant pertaining to operating mechanisms; however these references do not teach the use of an operating mechanism in a circuit breaker assembly having an interrupter chamber and a fixed and movable contact arrangement with the movement of the movable contact aided by a synchronization assembly.

Summary

This application is in condition for allowance except for the following formal matters:

Note the above remarks with respect to the abstract, title , specification and claims, in particular claim 11.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Scott whose telephone number is (571) 272-1999. The examiner can normally be reached on Monday-Friday 1-5 pm EDT.

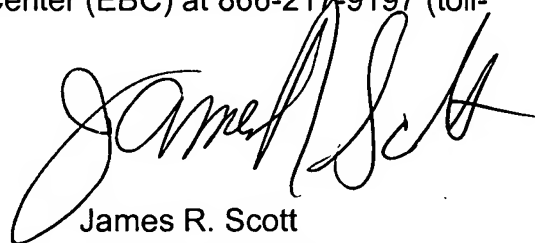
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on (571) 272-1990. The fax

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phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JRScott: jrs
December 9, 2004



James R. Scott
Primary Examiner
GAU 2832